

REMARKS

Claims 1-15 were pending. Applicants cancelled claims 1-2, 4-7, 9-12 and 14-15 without prejudice or disclaimer. Hence, claims 3, 8 and 13 are pending. Applicants respectfully reserve the right to pursue cancelled claims 1-2, 4-7, 9-12 and 14-15 and other claims in one or more continuation patent applications.

Applicants amended claims 3, 8 and 13 to be rewritten in independent form and not to overcome prior art. Hence, no prosecution history estoppel arises from the amendments to claims 3, 8 and 13. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-12 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 3, 8 and 13 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. *See Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

Applicants respectfully assert that claims 3, 8 and 13 in the Application are in condition for allowance, and respectfully request an allowance of said claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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